

REMARKS

Claims 1 and 3-11 are currently pending. Claims 1 and 3-11 stand rejected. Claim 2 has been cancelled without prejudice to or disclaimer of the subject matter therein. As described in greater detail below the undersigned submits that the claims are in condition for allowance and requests reconsideration to that effect.

The Drawings

Figures 1-3 have been amended to clearly illustrate the coated support (11), thus, rendering the objection moot.

35 U.S.C. §112

Claims 4 and 5 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The undersigned submits that claim 4 has been amended to clarify that an implant delivery device of two coaxial sleeves is claimed and claim 5 has been corrected to claim a second coating, and not a third coating.

35 U.S.C. §102(e)

Claims 1, 3-8, 10 and 11 stand rejected under 35 U.S.C. §102(e) as being anticipated by Brown, U.S. Pat. No. 6,348,060. The undersigned submits that claim 1 and all of the rejected dependant claims are patentably distinct from Brown because claim 1 recites "a releasable implant having a first coating."

35 U.S.C. §103(a)

Claim 9 is rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over Brown, U.S. Pat. No. 6,348,060. As claim 9 depends from claim 1, which is itself patentable over Brown, the undersigned submits that claim 9 is also patentable over Brown.

CONCLUSION

For the above stated reasons, the undersigned respectfully submits the prior art does not render the claimed invention unpatentable, and that the application is now in condition for allowance. The Examiner is invited to contact the undersigned at (202) 220-4200 to discuss any matter concerning this application. A marked up version is attached hereto.

The Office is authorized to charge any fees associated with this Amendment to Deposit Account No. 11-0600.

Respectfully submitted,

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By:


Fred T. Grasso
Reg. No. 43,644

KENYON & KENYON
1500 K Street, N.W., Suite 700
Washington, D.C. 20005
telephone: (202) 220-4200
facsimile: (202) 220-4201

MARKED UP VERSION

IN THE CLAIMS:

- AS
02/03/03*
- 1 2. (Amended) A coated implant delivery system comprising:
an implant delivery device with a first end, a second end, and an inner lumen,
the first end having a releasable implant retention region, *surf. of balloon.*
the releasable implant retention region having an accessible surface,
the accessible surface of the releasable implant retention region having a
coated implant adhesion-resistant treatment; and
a releasable implant having a first coating,
the releasable implant releasably positioned in physical communication with
the releasable implant retention region,
the first coating facing the releasable implant retention region.

3. (Amended) The coated implant delivery system of claim [2] 1 wherein the implant delivery device is a balloon catheter.

4. (Amended) The coated implant delivery system of claim 1 further comprising:
two coaxial sleeves positioned in physical communication with the releasable implant retention region,
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an [the] exterior of the second end of the implant delivery device treated with a second coating of implant adhesion resistant treatment.

5. (Amended) The coated implant delivery system of claim 1 further comprising:
a conduit in fluid communication with the releasable implant retention region,
wherein the accessible surface of the implant delivery device [includes a third coating] is
treated with a second coating of implant adhesion resistant treatment.

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